

**THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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YORKTOWN CENTRAL  
SCHOOL DISTRICT,

Plaintiff,

Civil Action No.: 07 - 8648  
(SCR)

-against-

ECF CASE

MONSANTO COMPANY,  
PHARMACIA CORPORATION,  
PECORA CORPORATION and  
JOHN DOES 1-20,

Defendants.

**NOTICE OF MOTION TO  
DISMISS THE FIRST  
AMENDED COMPLAINT**

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**PLEASE TAKE NOTICE** that on a date and time to be determined by the Court, at the United States District Court for the Southern District of New York, United States Courthouse, 300 Quarropas Street, Room 265, White Plains, New York, Defendants Monsanto Company and Pharmacia Corporation, by and through their attorneys, White and Williams LLP, will move pursuant to Fed. R. Civ. Pro. 12(b)(6) for an Order dismissing the First Amended Complaint.

The within motion will be based on this Notice of Motion, the documents that are contained within ECF Entry Nos. 9, 12, 13, 14, 16, and 41, and Certification In Support of Motion to Dismiss.

A proposed form of Order is attached.

Date: March 21, 2008

By: s/ Robert Wright  
ROBERT WRIGHT (RW- 0971)  
THOMAS M. GOUTMAN (*Admitted Pro Hac Vice*)  
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Monsanto Company and  
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